



Order Filed on August 7, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

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Chapter 13

Case No.: 16-21420

Judge: ABA

In Re:

Luis Galarza,

Debtor.

ORDER APPROVING MORTGAGE MODIFICATION

The relief set forth on the following pages, numbered two (2) through three (3) is hereby **ORDERED**.

DATED: August 7, 2017


Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

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Debtor: Luis Galarza

Case No.: 16-21420 (ABA)

Caption: Order Granting Motion to Approve Permanent Loan Modification with Caliber Home Loans, Inc

AND NOW, this ____ day of _____, 2017, upon consideration of the Debtor's Motion to Approve Permanent Loan Modification with Creditor Shellpoint Mortgage Servicing and a hearing having been held, it is hereby ORDERED as follows:

1. The Mortgage Modification Agreement between the Debtor and Shellpoint Mortgage Servicing, as to loan number xxxxxxxx1726, on a home mortgage on 16 Trout Ave, Clementon, NJ 08021, is **Approved** on the terms and subject to the conditions contained in the attached "Exhibit A", which was made part of the moving papers.

2. The mortgage lender may proceed with all steps necessary to consummate and complete that modification agreement, and to issue bills, statements or other notices in accordance therewith, without violating the automatic stay under 11 U.S.C. 362.

3. In the event a loan modification is completed and the pre-petition arrears are capitalized into the loan, Shellpoint Mortgage Servicing shall amend the arrearage portion of its proof of claim to zero or withdraw the claim within thirty (30) days of completion of the loan modification.

4. The Chapter 13 Trustee shall suspend disbursements to Shellpoint Mortgage Servicing, pending completion of loan modification and all money that would otherwise be paid to Shellpoint Mortgage Servicing be held until the arrearage portion of the claim is amended to zero or the claim is withdrawn, or the Trustee is notified by Shellpoint Mortgage Servicing that the modification was not consummated.

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5. In the event the modification is not consummated, Shellpoint Mortgage Servicing shall notify the Trustee and debtors' attorney of same. Any money that was held by the Trustee pending completion of the modification shall then be paid to Shellpoint Mortgage Servicing

6. In the event the Proof of Claim is amended to zero or withdrawn, the Trustee may disburse the funds being held pursuant to this order to creditors in accordance with the provisions of the confirmed plan.

7. Communication and/or negotiations between the Debtor and mortgagees/mortgage servicers about loan modification shall not be deemed as violation of the automatic stay; and any such communication or negotiation shall not be used by either party against the other in any subsequent litigation.

8. The Debtor shall file an amended Chapter 13 plan and amended schedule J within twenty (20) days of the entry of this Order reflecting the terms of the Loan Modification Agreement.